

Software Announcement

Release Date: Spring 2004
Release No. 2004/1

Southfield, MI 48034
(800) 572-1116

Traffic/Criminal Procedures

There are recent legislative changes that have an impact on the Traffic/Criminal division.

1. Servicemembers Civil Relief Act

A Memorandum from Nial Raaen, Director, SCAO, dated March 16, 2004, indicated:

The Servicemembers Civil Relief Act, 50 USCS Appx 501, et seq, was completely rewritten effective 12/19/03. If a defendant is on active duty in the military service... default judgment cannot be entered until the court takes certain steps.

Software must provide the court with the ability to:

- *indicate that a defendant is in the military service*
- *prevent a default judgment from automatically occurring for failure to answer the citation*
- *create a list/report for follow up on these cases, and*
- *report the case as Inactive on the quarterly caseload report.*

The current JIS software provides the ability to meet all of these requirements. We recommend the following procedures for handling these citations.

- a. Create a 4-letter code in the Traffic/Criminal Codes File for *military service*, such as SERV (service) MILT (military) or ADMS (active duty military service), etc. Use group code BJ.
- b. After adding a ticket that indicates that the defendant is on active military service, enter a disposition of DS53-Order to Stay Proceedings and the 4-letter code you created. DS53 reports the case as Inactive for caseload.
- c. Use Report Generator to create a list/report for follow up where the military code and DS53 were entered.

2. No Insurance, 2004 Public Act 52, effective May 1, 2004

The Department of State has created code 3108 for *No Insurance under the Insurance Code. (Misdemeanor)*

- a. Using the ADMIN signon, add code 3108 to the SOS Code File.
 - Code effective date: 5/1/04
 - Description: No Insurance under the Insurance Code
 - Abstract, FAC, FCJ & 14D should have an X with begin date of 5/1/04
 - Press F2-Add.
- b. Add 3108 to your Statute File-L table with a **begin date of 5/1/04**.
- c. In the Statute File-M table, add an **end date of 4/30/04** to codes 5003101 through 5003103; press F3-Update. Add duplicate codes 5003101 through 5003103 **with 3108 in the SOS field** and a **begin date of 5/1/04**; press F2-Add.

***** JIS has completed steps a. and c. for online courts.*****

3. No Proof of Insurance, 2004 Public Act 52, effective May 1, 2004

Violation Type	Appearance & Insurance Status	Fine, Costs & Assessments	SOS Code	How to process on JIS
Civil Infraction	Appear by due date with proof valid on violation date.	Waive F&C and JSTC. May assess \$25 NPI fee.	N/A	Enter disposition code. Stop abstract from generating by entering an <u>S</u> in the Abstract field on Case Entry or Scheduling screen.
	Appear after due date with proof valid on violation date.	Assess F&C and JSTC. Do not assess \$25 NPI fee.	3100	Enter disposition code.
	Appear at any time without proof of insurance valid on violation date	Assess F&C and JSTC. Do not assess \$25 NPI fee.	3100 or 3106**	Enter disposition code.
Misd.	No Insurance Conviction entered.	Assess F&C and JSMO. Do not assess \$25 NPI fee.	3108	Enter disposition code.

* See *Traffic/Criminal Manual* or prompt on DS code field for list of disposition codes.

** Depending on your court's policy to change or amend the charge.

Traffic/Criminal Software Changes

1. Post-Judgment Alcohol Suspensions

The ability to automatically generate **post-judgment** suspensions on alcohol cases has been added. You will no longer need to request a post-judgment suspension if the following conditions are met:

- a. Alcohol case with a guilty disposition and a sentence date
- b. No previous FAC or FCJ suspension. *If there was a previous suspension that has been cleared, you can make the case eligible for post-judgment suspension by typing an E in the FAC/FCJ/FAD field on the Scheduling screen.*
- c. An amount is currently due on the charge
- d. The FJD field has been updated in the Z-Record.

To update your Z-Record:

- Type an X in *Code File* on the Codes File Inquiry and Update Menu.
- Type Zxxx in the *Code* field (where xxx is your 3-digit court location, i.e. D15 would be Z150); press ENTER.
- Enter the number of days delinquent in the *FJD* field; press ENTER. The statute provides for suspension 14 days **after the NNC** for failure to comply with judgment. See MCL 257.321a(3).
- Press F4-Prompt to add an effective date for this notice; press ENTER to continue.
- Press ENTER to update the Z-Record. A message will display at the bottom of the screen: Code has been updated.

Note: You may want to reconsider the number of days you have for FAD. The statute provides for suspension 7 days **after the NNC** for failure to appear.

2. New Bond Code

A new bond code has been added: BT12-Cash or Surety.

3. New AFP forms

Order for Substance Abuse Evaluation (SAE)
Order Revoking Release & Forfeiting Bond (OFB)

4. Directed Verdicts

A DS49-Directed Verdict does not automatically generate an abstract. When DS49 is entered on an abstractable offense, a message will display at the bottom of the screen: IF ALCOHOL OR REPEAT OFFENDER DISMISSAL-REQUEST AUDIT ABSTRACT.

5. Ticket Upload

A new option is available to edit for a correct ORI # number. To use this feature, type an X in the *Edit ORI* field in the Ticket Selection window.

6. Debt Referral District Court Message Screen

The debt referral program is currently being piloted by D54B-East Lansing. A message screen will display on Cash, Scheduling and Disposition screens for any open case with REVW, SEND, SENT or CLOS debt referral status. The window will not display for AVBL, MAIL or IGNR status.

7. F13-Outq has been added to the Inquiry Window (NAM, SDX, PIN, XRF, DLN, VPN)

Probation

1. Forms & Screens

The following forms and screens have been updated for the 2/2004 version:

- Order of Probation (ORD)
Option 4-PUI has been added to the screen in the *Judgment of guilt is deferred under* field. Type a **4** in this field when guilt is deferred under MCL 750.430, Practicing under the influence.
- Discharge from Probation (DCG)
Type an **X** in paragraph B. Penal Code; Practicing under the influence, when the plea/status is set aside/terminated under MCL 750.430.

Civil

1. When a receipt is created before a case is entered, the comment entered on the receipt will be written to the Register of Actions and Actions Update screens when the case is entered.

Cash

1. Cash Report Generator

Totals by venue have been added for the following fields: Cash, Check, ATM, Credit Card, and Bal Due.

2. Cash Online

When a receipt is created before a case is entered, the comment entered on the receipt will be written to the Register of Actions when the case is entered.

The comment entered on a receipt will be retrieved when a reprint of a receipt is created. (Still missing from the reprint are: assessments, balance due, next due date, bond paydown information, and 'O' for reOpened. Look for these improvements in the Fall 2004 release.)

Program Corrections

Traffic/Criminal

Proceeding Code POAW (Arraignment waived) now updates the arraignment date on the ROA.

Motion, Affidavit, and Bench Warrant (PBW) - name is now aligned under the signature line on the 8x11 (non-AFP) form.

The delete program (DEL) will not delete an abstract or an FAC that has a production date.

The Abstract and FAC programs will update out-of-state residents with OSN in the USE field.

Cash

The Cash Assessment Adjustment Report now uses system date instead of proceeding date. Backdated adjustments will appear on the report on the actual date they were adjusted. When the report is requested for a date range, the cash open date or proceeding date will be printed.

Cash Report Generator will run when assessments are selected without a date range.

Civil

Civil caseload grid correctly reflects case type changes.

The reported problem with the batch NTA printing the plaintiff's attorney as the judge has been fixed.

Alignment has been corrected on the batch Notice of Intent to Dismiss form.

Person Notified will print on the AFP version of the Recall of Warrant form.

Case will not re-open when a plaintiff is added to a closed case.

Modifier Z3-TO REMOVE FROM APPEAL was not added when we said it was! It is now in your civil modifier list.

The problem reported with the calendar judge assignment has been fixed.